

COUNTY COMMISSION- REGULAR SESSION

JANUARY 20, 2004

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, JANUARY 20, 2004, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. Sheriff Wayne Anderson opened the commission and Comm. James L. King, Jr. gave the invocation. Pledge to the flag was led by the Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

GARTH BLACKBURN	LINDA K. BRITTENHAM
JAMES "MOE" BROTHERTON	RAY CONKIN
JOHN CRAWFORD	O. W. FERGUSON
CLYDE GROSECLOSE, JR.	LARRY HALL
RALPH P. HARR	JOE HERRON
	MARVIN L. HYATT
SAMUEL C. JONES	
JAMES "BUDDY" KING	JAMES L. KING, JR.
R. WAYNE MCCONNELL	JOHN MCKAMEY
RANDY MORRELL	HOWARD PATRICK
JACK SITGREAVES	MICHAEL SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

22 PRESENT 2 ABSENT, (Houser, Kilgore Absent)

The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.

Motion was made by Comm. Harr and seconded by Comm. Morrell to approve the minutes of the December 15, 2003 Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: JANUARY 20, 2004

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

- 1. Jerry Dykes concerning Res. #6 on today's agenda.**
- 2. Michael Eckart representing the Kingsport Citizens for Cleaner Environment.**
- 3. Rachel Bliss representing the Kingsport Citizens for Cleaner Environment.**

Presentation was made by Dave Roller, Director of Kingsport Public Works, on the recent Sullivan County, Kingsport joint bridge project.

Quarterly Reports filed for Oct. 2003- Dec. 2003 with the County Clerk were:

1. Purchasing
2. Highway Dept.
3. Library

QUESTIONS BEFORE THE COMM.

No. Roll Call
 Notary Public
 App. 1/1/10

No. No. No. No. No.

NAMES OF COMMISSIONERS

Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye

- Harth Blackburn ✓
- Linda K Brittenham ✓
- James "Mac" Brotherton ✓
- Ray Conkin ✓
- John Crawford ✓
- B. W. Ferguson ✓
- Clyde Grossesse Jr ✓
- Larry Hall ✓
- Ralph Harr ✓
- Joe Hermon ✓
- Dominic Houser A
- Marcus D Nyatt ✓
- Samuel C Jones ✓
- Elliott Kilgore A
- James "Buddy" King ✓
- James L. King, Jr. ✓
- R. Wayne McConnell ✓
- William "John" McKamey ✓
- Randy Morrell ✓
- Norval Patrick ✓
- Jack Sitgreaves ✓
- Michael Sturgeon ✓
- Mark Vance ✓
- Eddie Williams ✓

23 Aye
 2 absent 3 ayes

Surgeon in at 9:20

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARY'S

DECEMBER 15, 2003

Janice Sanders Allen	Gail M Price
H. Birchfield	John K. Pridemore
James R. Boatright	Dorothy L. Range
Clinda J. Brickey	Samuel K. Ross
Edward Grady Bush	Carolyn B. Royston
Carolyn A. Coffey	Phillip R. Rust
Susan A. Davis	Gerald D. SMith
Deborah Ann Dishner	Tara M. Smith
Janice D. Duncan	Teresa Spivey
Fred R. Esser	L. A. Sproles
Beverly Estep	Dianna L. Stacy
O. W. Ferguson	Melinda Templeton
Suzanne Ferguson	Delores J. Thompson
Irma Fields	Carolyn B. Waycaster
Ron Hall	Rebekah V. Whitaker
Anita J. Hood	
Tammy J. Isner	
Wanda W. Kilby	
Cheryl Kirk	
Tim Matheson	
Brandy McCullough	
Teresa Morrell	
Brenda K. Mosberg	
Crystal Nottingham	
Jerry Petzoldt	

UPON MOTION MADE BY COMM. HARR AND SECONDED BY
COMM. HYATT TO APPROVE THE NOTARY APPLICATIONS
HEREON, SAID MOTION WAS APPROVED BY ROLL CALL
VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

JANUARY 20, 2003

Wallace D. Alley, Jr.

Jimmy D. Bell

Inez Herrmann

Hazel M. Johnson

Jada Marshall

Gail B. O'Dell

Joyce Ann Rhoten

Mary P. Rossie

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. HYATT TO APPROVE THE
NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY
ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.

Agenda

Sullivan County Board of County Commission

January 20, 2004

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, Date at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 11/03/02 John Rotty & Assoc.
Reclassify P.M.D.-2 property located on the north side of Deck Lane 475 feet northwest of Hwy 75 to R-3B for the purpose condo/ townhouse development and future plans to sale the property. Property ID. No. Tax map 108, Parcel 1.10 located in the 18th Civil District. **Sullivan County Planning**

- (2) File No. 11/03/03 Bradley McKee
Reclassify R-1 property located at 536 Kincaid Street to R-3 for the purpose of allowing a singlewide mobile home. Property ID. No. Tax map 30-J, Group D, Parcel 37.00 located in the 11th Civil District. **Kingsport Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 11/03/02³

A request for rezoning is made by the person named below; said request to go before the Sullivan Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner John Rotty & Assoc.
Address 2243 Hwy 75
Blountville, TN 37618
John = c# 773-8423
Phone _____ Date of Request 11/4/03
Elizabeth (276) 4166-2201 → Realtor
Property Located in 18th Civil District
X John W. Rotty
Signature of Applicant

OFFICE USE ONLY

Meeting Date 12/16/03 Time 7pm
Place Courthouse
.....
Planning Commission Approved _____
12/16/03 Denied _____
County Commission Approved X
01 Denied _____
Other Roll Call Vote 22 AYE, 2 ABSENT
Final Action Date 01-20-04

PROPERTY IDENTIFICATION

Tax Map 108 Group _____ Parcel 001.10
Zoning Map 160 Zoning District PMD-2 Proposed District R-3B
Property Location Deek Lane - Tract 2
(7.824 acres)
Purpose of Rezoning condo/townhouse development
future plan (sale of property)

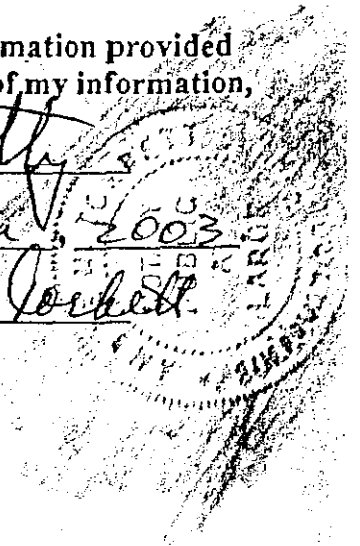
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

X John W. Rotty

Sworn to and subscribed before me this 4th day of November, 2003

Amber M. Corbett
Notary Public

My Commission Expires: Aug. 31, 2005



AGENDA ITEM D1

File No.: 11/03#2, John Rotty & Assoc, Reclassify PMD-2 to R-3B for Condominiums and Sale of Property.

FINDINGS OF FACTS

Property Owner: John Rotty & Associates
Parcel ID: Tax Map 108, Parcel 1.10 (tract 2)
Zoning Request: PMD-2 to R-3B
Civil District: 18th
Location: Tract 2, Deck Lane off of Hwy 75, Blountville
Purpose: For the proposed sale of land with the concept of multi-family housing/condo.
PC 1101 Growth Plan: Sullivan County Planned Growth Area
Public Water Provider: City of Johnson City Utility Board
Public Sewer Provider: City of Johnson City Utility Board
Roadway Classification: Minor Residential Road, and close proximity to arterial highway
Surrounding Zoning: PMD-2 on highway and A-1 along Deck Lane with R-2 and B-3 in the area
Size of Lot/Tract: approximately 7.824 acres
Topography: Gently rolling pastureland with a 10% incline from road to back fence
Neighborhood Opposition: None stated at this time
Recorded Subd. Plat: yes, J B Baker Property Subdivision, approved and on file
Existing Structures: n/a
Rezoning History: Site was rezoned from A-1 to PMD-2 on 8-27-90 (along with many surrounding other tracts near airport)

Staff Recommendation

- Staff recommends in favor of this rezoning request, as a multi-family housing project would be a good transitional zoning district between the developing highway frontage and the rural residential area to the rear.
- From the above findings of facts, this site would be a suitable area for high-density residential, as the existing and available public infrastructure could support such use at maximum build-out.

Discussion at the PC meeting

- Mr. John Rotty, owner, was present to represent the case. He stated that the tract was for sale and the new buyers were also present at the meeting. Discussion followed.

Sullivan County Regional Planning Commission Action – 6 of the 9 members present

Approval: ~~Motion made by Branner, 2nd by Peterson – motion in favor passed unanimously.~~

Denial: Reason for denial:

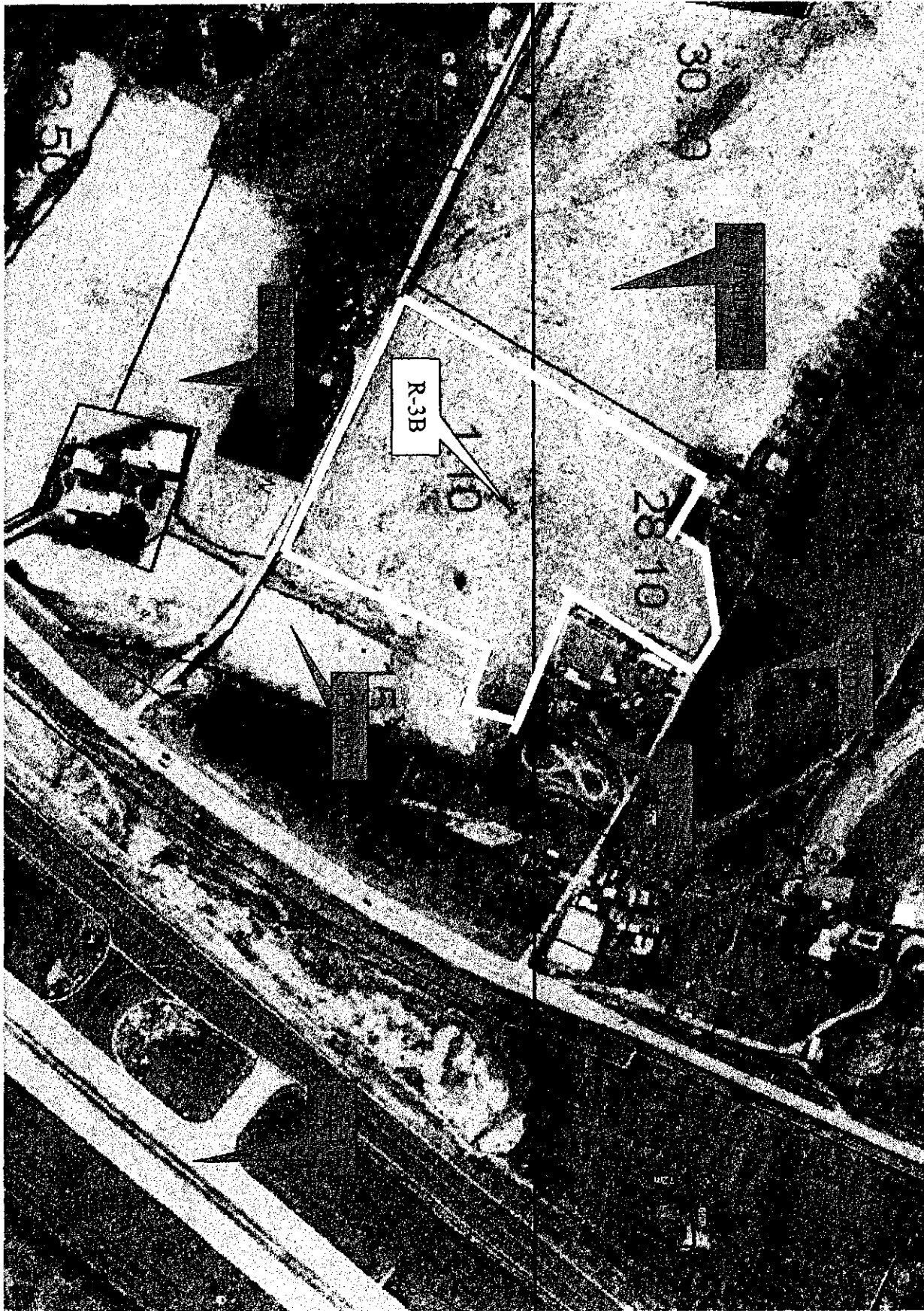
Defer: Reason for denial:

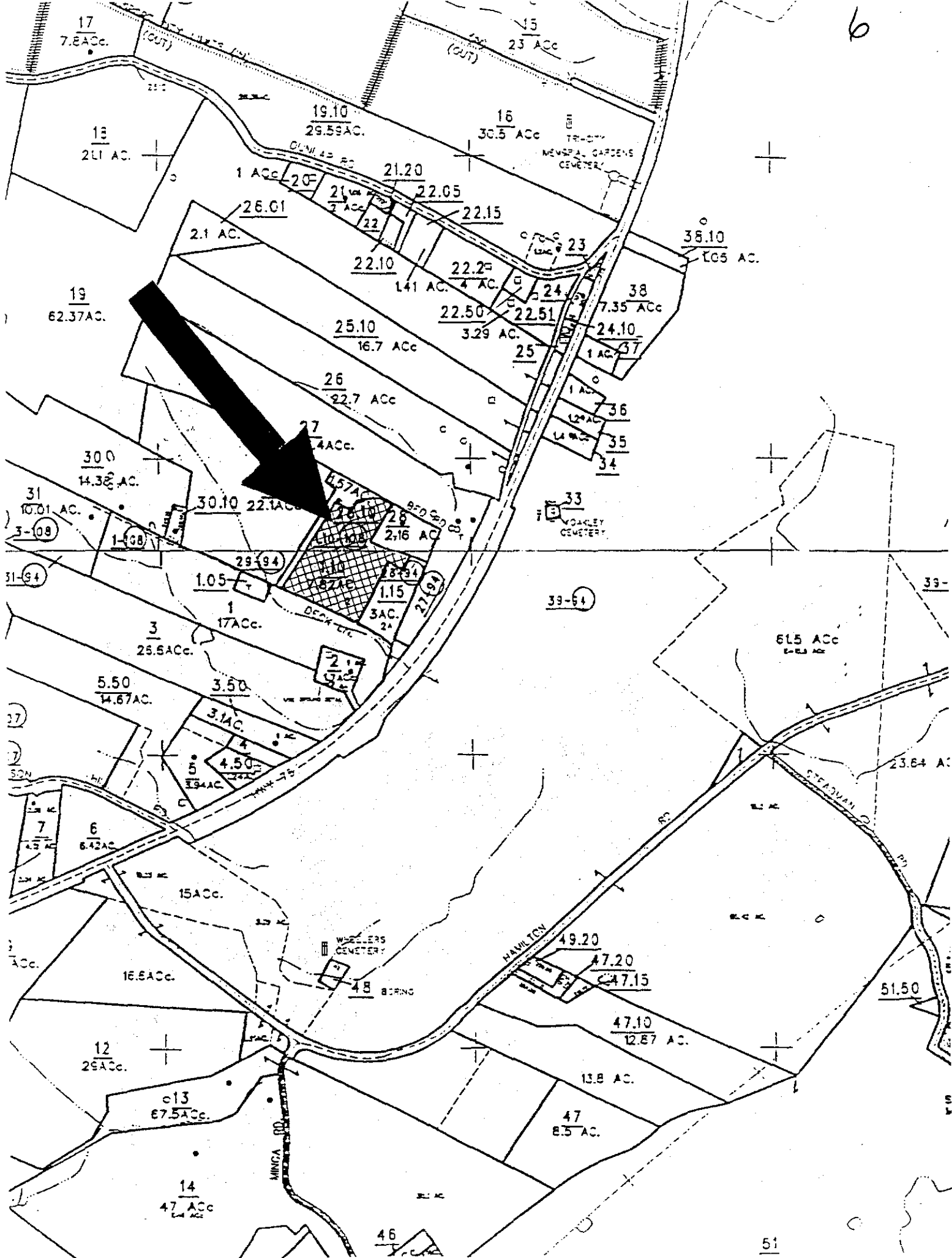
AGENDA ITEM E1

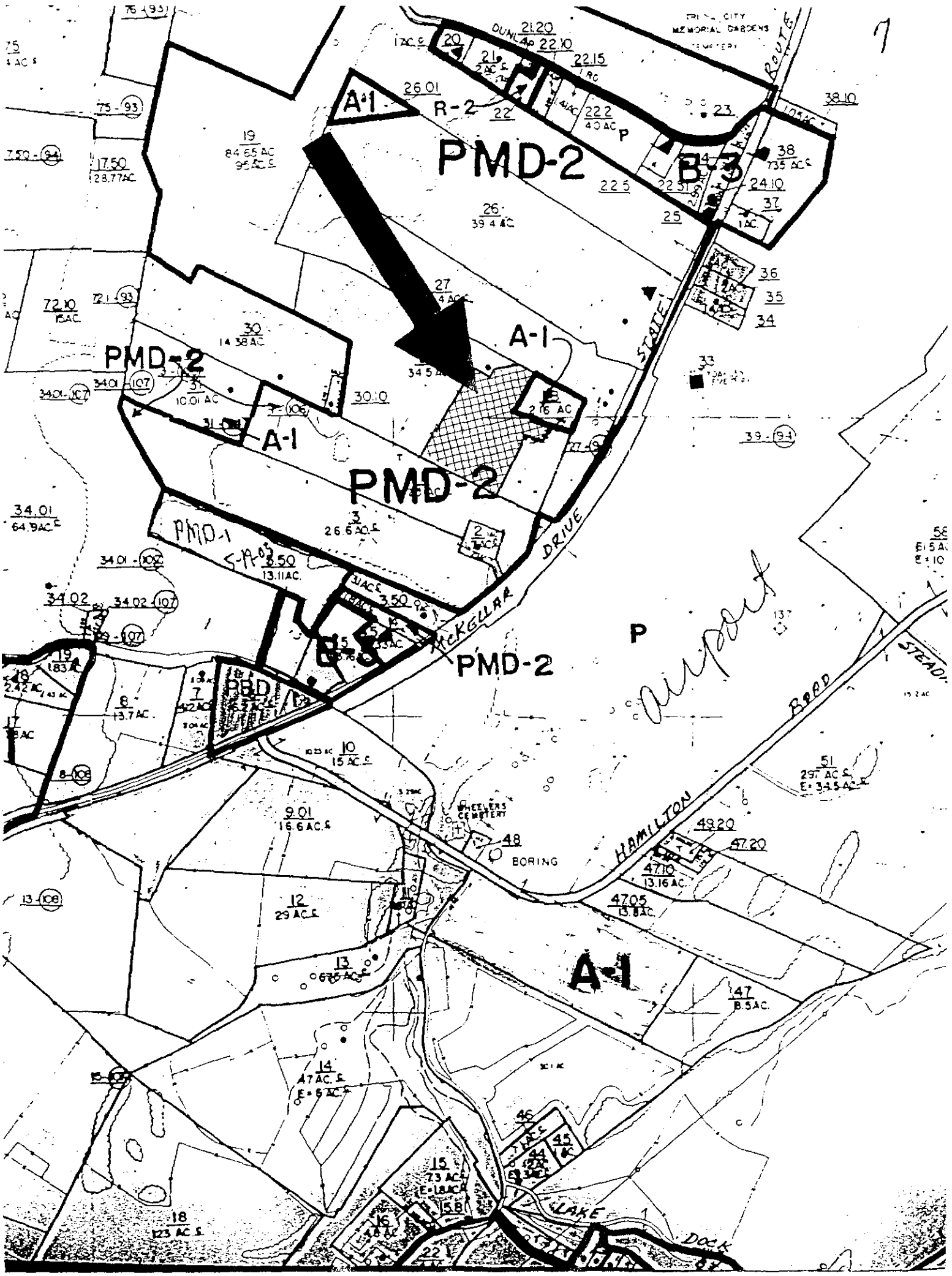
FINDINGS OF FACTS

Property Owner: Thomas Blackstone and Thelma Blackstone
Preliminary/Final Plat: 3-tract minor subdivision plat of Blackstone Property
Parcel ID: Tax Map 135, Parcel 167
Zoning: R-1
Civil District: 9th
Location: Austin Springs Road and Taylor Road in Piney Flats
Surveyor: Steven Lyons, RLS
PC 1101 Growth Plan: Johnson City Urban Growth Boundary
Water District: Johnson City Utility Board
Sewer District: Johnson City Utility Board – served by septic

- This plat consists of two existing house sites to be separated with a shared drive and one large tract remaining.







PMD-2

TRINITY CITY
MEMORIAL GARDENS
TEMPLETARY

A-1

B-3

PMD-2

PMD-2

PMD-2

A-1

airport



75
4 AC E

75-93

17.50
28.77 AC

19
84.65 AC
95.20 AC E

26.01

20

21.20
DUNLAP 22.10

22.15

22.2

22.5

25

38.10

38
735 AC E

24.10

37

36

35

34

33

32

31

30

29

28

27

26

25

24

23

22

21

20

19

18

17

16

15

14

13

12

11

10

9

8

7

6

5

4

3

2

1

0

-1

-2

-3

-4

-5

-6

-7

-8

-9

-10

-11

-12

-13

-14

-15

-16

-17

-18

-19

-20

-21

-22

-23

-24

-25

-26

-27

-28

-29

-30

-31

-32

-33

-34

-35

-36

-37

-38

-39

-40

-41

-42

-43

-44

-45

-46

-47

-48

-49

-50

-51

-52

-53

-54

-55

-56

-57

-58

-59

-60

-61

-62

-63

-64

-65

-66

-67

-68

-69

-70

-71

-72

-73

-74

-75

-76

-77

-78

-79

-80

-81

-82

-83

-84

-85

-86

-87

-88

-89

-90

-91

-92

-93

-94

-95

-96

-97

-98

-99

-100

-101

-102

-103

-104

-105

-106

-107

-108

-109

-110

-111

-112

-113

-114

-115

-116

-117

-118

-119

-120

-121

-122

-123

-124

-125

-126

-127

-128

-129

-130

-131

-132

-133

-134

-135

-136

-137

-138

-139

-140

-141

-142

-143

-144

-145

-146

-147

-148

-149

-150

-151

-152

-153

-154

-155

-156

-157

-158

-159

-160

-161

-162

-163

-164

-165

-166

-167

-168

-169

-170

-171

-172

-173

-174

-175

-176

-177

-178

-179

-180

-181

-182

-183

-184

-185

-186

-187

-188

-189

-190

-191

-192

-193

-194

-195

-196

-197

-198

-199

-200

-201

-202

-203

-204

-205

-206

-207

-208

-209

-210

-211

-212

-213

-214

-215

-216

-217

-218

-219

-220

-221

-222

-223

-224

-225

-226

-227

-228

-229

-230

-231

-232

-233

-234

-235

-236

-237

-238

-239

-240

-241

-242

-243

-244

-245

-246

-247

-248

-249

-250

-251

-252

-253

-254

-255

-256

-257

<

PETITION TO SULLIVAN COUNTY FOR REZONING # 11/03/03 8

A request for rezoning is made by the person named below; said request to go before the Kingsport Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner Bradley McKee
Address 536 Kincaid St,
Kingsport TN 37660
Phone 245 9156 Date of Request 11-12-03
Property Located in 11th Civil District

X Bradley McKee
Signature of Applicant

OFFICE USE ONLY

Meeting Date 12-18-03 Time 7:00 PM

Place Kpt. City Hall
2nd Floor

Planning Commission Approved
Denied

County Commission Approved
Denied

Other Roll Call Vote 22 Nay, 2 Absent

Final Action Date 01-20-04

PROPERTY IDENTIFICATION

Tax Map 30-J Group D Parcel 37.00
Zoning Map 6 Zoning District R-1 Proposed District R-3
Property Location 536 Kincaid St.

Purpose of Rezoning To place one single-wide
mobile home

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 12th day of Nov, 2003.

X Jack Morrison
Notary Public

My Commission Expires: 12-20-03

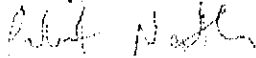
9

2. There were similar single-wide trailers on the surrounding street networks noting on an overhead that the trailer designations on the Sullivan County zoning map.

The neighbor across Kincaid Street from the property opposed the rezoning, citing displeasure at viewing a single-wide trailer. The applicant, Bradley McKee, stated that he supported an R2 rezoning. An adjacent property owner citizen opposed the rezoning. George Lee, property owner on Kincaid Street, opposed the rezoning noting that there was only one mobile trailer on Kincaid Street. Billy Knock, property owner on Kincaid Street, opposed introducing the R3 zoning district. Another citizen opposed the rezoning for reasons that the proposed single-wide trailer would be rented. The Commission noted the surrounding neighborhood opposition. On a motion by Dennis Phillips, seconded by Doug Releford, the Commission voted unanimously, 9-0, to accept the Staff rationale to oppose the rezoning from R1 to R-3. The Commission also included as part of the motion to deny an R2 rezoning as well.

If you have questions, please call me at (423) 224-2482.

Sincerely,



Robert Nemeth

Attachments: Staff Report



CITY OF KINGSPORT, TENNESSEE

December 29, 2003

Ambre Torbett
 Sullivan County Land Use Office
 P.O. Box 509, Suite 30
 Blountville, TN 37617
 Fax: 279-2886

Dear Mrs. Torbett:

On December 18, 2003, the Kingsport Regional Planning Commission made the following recommendation concerning the county case:

12-1 County Rezoning 536 Kincaid Street (03-101-00015)

The Commission considered a county rezoning request of 2.66-acres (115,870-square feet) from R1, Single-family Residential District to R3, Manufactured Residential Dwelling Park District for the purpose of installing a single-wide mobile trailer. The property was located adjacent to the western side of 536 Kincaid Street (Sullivan County tax map 30J, group D, parcel 37). The property was approximately 1,000-feet south of Gravelly Road and 3,000-feet north of Bloomingdale Pike. Staff summarized the differences in county zoning districts. Staff noted one citizen phone call opposing the rezoning because a single-wide trailer would be not fit in with the single-family houses in the neighborhood. Staff recommended denying the R3 rezoning for the following reasons.

1. The property owner stated on the application that the purpose of the rezoning was "to place one single-wide mobile home". This land use was permitted in the R2 zoning district.
2. The R3 rezoning would be an isolated spot zoning district unrelated to the surrounding R1 and R3A districts. The R3 zoning district was created for manufactured home parks provided that the park measures a minimum 3-acres in size. Although the property requesting the rezoning measures 2.66-acres, if the R3 zoning district was introduced into the neighborhood, it could encourage adjacent R-3 rezoning requests. There was 4.5-acres of adjacent vacant property to the north and west. Across Kincaid Drive in the northeastern direction, there is a 6-acre lot with a single-family house on it.
3. Additional adjacent R3 rezonings could permit manufactured home park land-uses that would be contrary to the established single-family land use pattern adjacent to Kincaid Street, and the surrounding street network of Kings View Road, Marion Street, Claremont Road, and Leeland Drive.
4. The R3 rezoning could excessively burden the public infrastructure and services. It could introduce manufactured home parks, which could generate traffic that could not be supported by the narrow Kincaid Street.

Staff noted that the applicant had telephoned December 15 afternoon stating that he had requested an R2 zoning district. Staff stated support for the R2 zoning district for the following reasons:

1. It could serve as a transitional zoning district between the less-intensive R1 zoning district, and the southern R3 zoning district.

City Hall 225 West Center Street Kingsport, TN 37660-4237 (423) 229-9400

Kingsport — The Best Place To Be

// 12/15

**REZONING REPORT
FILE: 03-101-00015**

TO: KINGSPORT REGIONAL PLANNING COMMISSION

FROM: Robert Nemeth, Planner

DATE: For December 18, 2003

APPLICANT: Bradley McKee, property owner.

REQUESTED ACTION: County rezoning request of 2.66-acres (115,870-square feet) from R1, Single-family Residential District to R3, Manufactured Residential Dwelling Park District.

LOCATION: Property is located adjacent to the western side of 536 Kincaid Street (Sullivan County tax map 30J, group D, parcel 37). The property is approximately 1,000-feet south of Gravelly Road and 3,000-feet north of Bloomingdale Pike. The property is located outside the Kingsport city limits within the Urban Growth Boundary in the 11th Civil District of Sullivan County.

EXISTING LAND USE: Single-family house, and accessory structures.

PROPOSED USE: "To place one single-wide mobile home".

COMPARISON BETWEEN COUNTY RESIDENTIAL ZONING DISTRICTS:

- R1 permits single-family houses.
- R2 permit duplexes, mobile homes on single lots, and single-family houses.
- R3 is designed for manufactured home parks with approval from the Sullivan County Planning Commission. Mobile home parks must have a minimum 3-acre size with a maximum 6-individual spaces per acre.
- R3A permits apartments, and single-family houses.
- R3B permits condominiums, duplexes, and single-family houses.

SURROUNDING COUNTY ZONING AND LAND USES:

North

R1--The adjacent lot to the north and west is vacant with a size approximately 4.5-acres. Across Kincaid Street in the northeastern direction, there is a single house residing on approximately 6-acres.

East

R1, R3A--Adjacent to the eastern side of Kincaid Street, there are 3 single-family houses.

South

R3A--There are mostly single-family houses adjacent to Kincaid Street, Magic View Drive, and Marion Street.

12

West

R1-- The adjacent lot to the north and west is vacant with a size approximately 4.5-acres. Three mobile trailer parks exist further west accessed from Parson Drive.

LAND USE PLAN (S):

- The 2010 Conceptual Land Use Plan (Kingsport Land Use Plan, 1988) designates the property for single-family land use.

UTILITIES:

- City sewer is not available. The Bloomingdale Water Division has jurisdiction over the property.

TRANSPORTATION:

Kincaid Street has an approximately 18-foot pavement width, and a 30-foot right-of-way, which would not allow it to be widened to accommodate higher-intensity development. Kincaid Street curves adjacent to the property, which could present a challenge for safe access with the limited sight distance in both the northern and southern directions.

PHYSICAL CHARACTERISTICS:

The 2.66-acre property measures approximately 412-feet adjacent to Kincaid Street. The property is level adjacent to Kincaid Street, and there is an elevation drop in the western and southern sides of the property. The property could accommodate the use in conformance with the requested zoning.

CITIZEN RESPONSE:

Sullivan County Commissioner John Crawford, residing near the intersection of Gravely Road and Forest View Drive, telephoned opposition to the rezoning because single-wide mobile trailers were out of character with the single-family houses in the Kincaid neighborhood.

OPTIONS:

The Planning Commission's options are the following:

1. Approve the rezoning from R1 to R3 as requested.
2. Disapprove the rezoning, and state the reasons in writing.
3. Postpone action until additional information is presented.

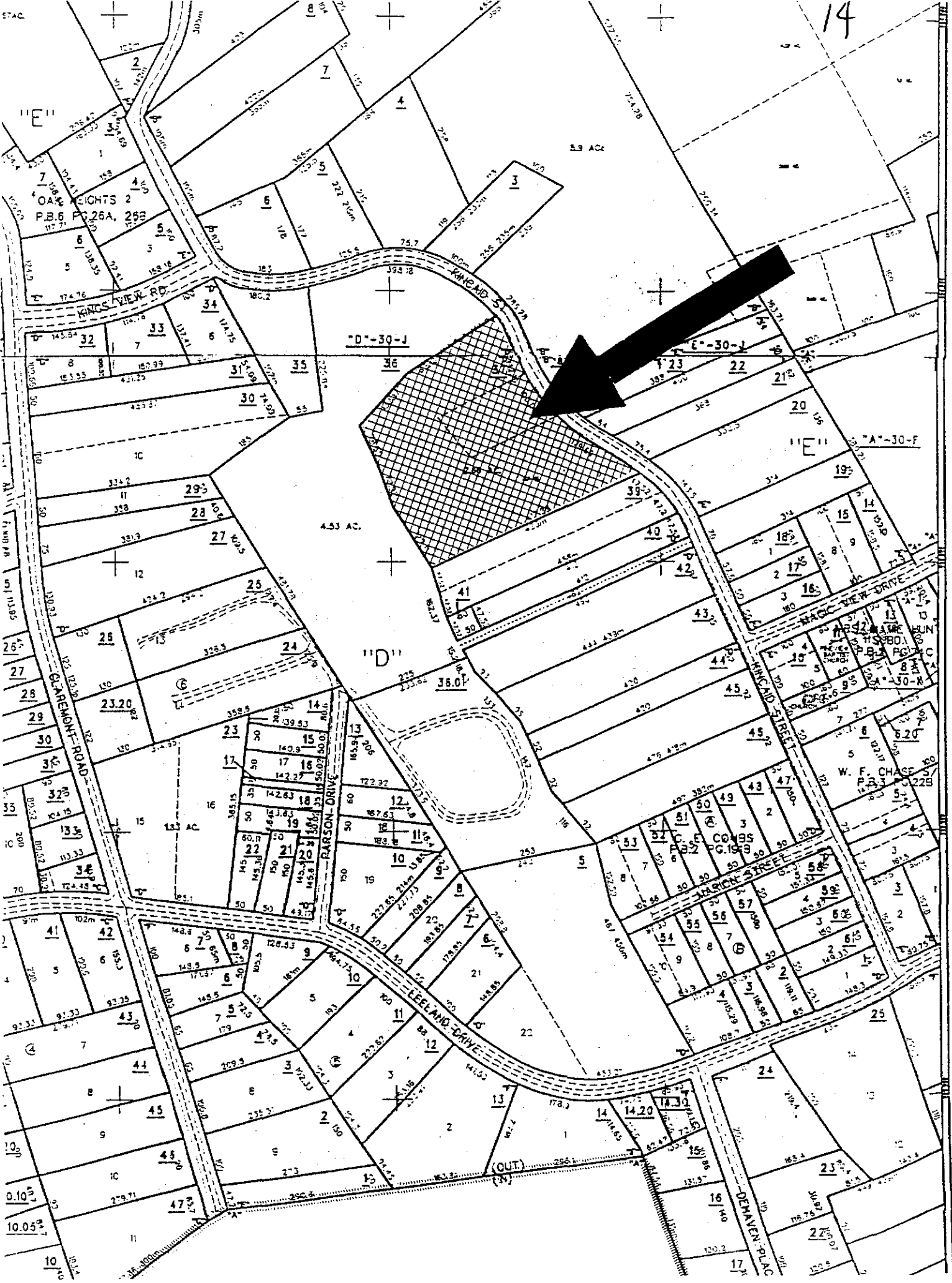
STAFF RECOMMENDATION:

Staff recommends Option 2.

1. The property owner stated on the application that the purpose of the rezoning was "to place one single-wide mobile home". This land use is permitted in the R2 zoning district.
2. The R3 rezoning would be an isolated spot zoning district unrelated to the surrounding R1 and R3A districts. The R3 zoning district was created for manufactured home parks provided that the park measures a minimum 3-acres in size. Although the property requesting the rezoning measures 2.66-acres, if the R3 zoning district is introduced into the neighborhood, it could encourage adjacent R-3 rezoning requests. There is 4.5-acres of adjacent vacant property to the north and west. Across Kincaid Drive in the northeastern direction, there is a 6-acre lot with a single-family house on it.
3. Additional adjacent R3 rezonings could permit manufactured home park land-uses that would be contrary to the established single-family land use pattern adjacent to Kincaid Street, and the surrounding street network of Kings View Road, Marion Street, Claremont Road, and Leiland Drive.
4. The R3 rezoning could excessively burden the public infrastructure and services. It could introduce manufactured home parks, which could generate traffic that could not be supported by the narrow Kincaid Street.

Bradley McKee





Planning Literature – ½ hour per article
Presentation/Discussion – varied
Conference/Workshops – varied

24

The continuing education credit hours were achieved through several different types of medium to cover a variety of issues related to planning; stormwater management; zoning regulations; and case studies recognized by the American Planning Association. Additionally, the State Local Planning Assistance Office presented Part I of a 2-part series covering the roles of the Planning Commissioner and the history of planning. Part II will be presented in 2004.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present.

Confirmed: Motion to confirm the credit hours by Dutton, 2nd by Bronner, motion passed unanimously.

K. **Adjournment: The next regularly scheduled Planning Commission Meeting will be held on:
January 20, 2004 - Tuesday at 7PM**

MINUTES SHALL BE DISTRIBUTED TO ALL MEMBERS AND CONFIRMED AT THE NEXT REGULARLY SCHEDULED MEETING of the SULLIVAN COUNTY REGIONAL PLANNING COMMISSION.

Secretary for the Sullivan County Regional Planning Commission

Date

DRAFT

Ambre M. Torbett, AICP
Planning & Zoning Director

Prepared by: Recording Secretary

Discussion at meeting

- John Mize, surveyor, was present to represent the case. He explained the intentions of the applicant for future development and the existing status of the grading work (approved by PC 5/1/01).
- Jim Montgomery stated concerns from the Highway Department regarding the water run-off towards the Bristol Pump Station in the right-of-way.
- Discussion followed. It was agreed that a diversion dyke must be installed to carry the water away from the pump station prior to further development.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present.

Approval: Motion made by Mullins and 2nd by Bronner in favor of the right-of-way abandonment subject to the installation of the diversion dyke per highway dept standards. Motion for the recommendation to the CC passed unanimously.

Denial: Reason for denial:

Defer: Reason for deferral:

AGENDA ITME I. Old Business: None scheduled

AGENDA ITEM J-2

- Public Chapter 862 requires 4 continuing education credit hours per member of the Planning Commission for each calendar year. The following table lists the types of continuing education activity acquired by Planning Commission member.

Name	Credit hrs.	Planning Literature	Presentation/Discussion	Conference/Workshop
Buddy King	5	4 articles submitted by staff from the APA Planning Magazine	2-part Zoning Code Review;	TVA Phase II
Jack Dutton	7	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	TVA Phase II
Gordon Peterson, Jr.	6	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	
Ken Bronner	10	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	TAPA – Oct. 2003; Trees to Trails – Sept. 2003; TVA – Phase II;
Harry Boggs	6	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code Review	TVA Phase II;
Cathy Mullins *	6	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	
Roy Settle	10 +	4 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	TAPA – Oct 2003; Trees to Trails – Sept. 2003
Archie Pierce	5	2 articles submitted by staff from the APA Planning Magazine	3-part Zoning Code; State Planning Presentation	
Mike McIntire *	4	2 articles submitted by staff from the APA Planning Magazine	2 mtgs. Zoning Code; State Planning Presentation	

*Please note, the representatives serving as a liaison Planning Commissioner from the city regional planning commissions, shall not be responsible to accumulate four (4) credit hours in addition to what they have done on behalf of the cities; however the county makes all relative planning and zoning material available to all members to afford them various opportunities for professional development and training.

AGENDA ITEM H-1

FINDINGS OF FACTS

Owners: Sullivan County
Request/Applicant: Anglia Booher, adjacent land owner
Surplus Right-of-Way: Hickory Tree Road and Riverview Road
Location: Bristol Area
Surveyor: Rick Davies, RLS
Civil District: 1st
Commissioner Sponsor: Randy Morrell
Surrounding Zoning: A-1
PC 1101 Growth Plan: Sullivan County Rural Area

- This plat is to request the abandonment of surplus right-of-way in the curve of Riverview and Hickory Tree Roads.
- When Hickory Tree Road was expanded the intersection of these two roads was altered; thus leaving a portion of right-of-way unused.
- Staff recommends in favor of this request as presented.
- Such request requires a formal recommendation from the appropriate Planning Commission, Executive Committee recommendation and then forwarded onto the full County Commission.

Discussion at meeting

- Randy Morrell was present.
- Jim Montgomery stated he received the first page of the deed and recommended that the existing utilities be illustrated per easement with such language included in the deed.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present

Approval: ~~Motion made by Dutton and 2nd by Pierce. Motion for recommendation on to CC per staff comments. approved unanimously.~~

Denial: Reason for denial:

Defer: Reason for deferral:

AGENDA ITEM H-2

FINDINGS OF FACTS

Owners: Sullivan County
Applicant: Earl Fleenor
Surplus Right-of-Way: Franklin Drive at SR 394
Location: Downtown Blountville
Surveyor: John Mize, RLS
Civil District: 5th
Sponsor:
Surrounding Zoning: PBD-3
PC 1101 Growth Plan: Sullivan County Planned Growth Area

- This plat is to request the abandonment of surplus right-of-way (approximately .129) in the curve of Franklin Drive and State Route 394.
- Staff recommends in favor of this request as presented as the State TDOT has already approved abandonment of State r-o-w and this additional request would assist in the future development of this site.
- Such request requires a formal recommendation from the appropriate Planning Commission, Executive Committee recommendation and then forwarded onto the full County Commission.

21

foot and a 50-foot target as required for the handgun testing and licensing. They also planned on grading the site for a minimum 10-foot embankment around the gun range to help control the sound.

- Mr. Steven Fannon was present and submitted a hand written petition with 44 original signatures from surrounding property owners in opposition to the request. Mr. Harry Boggs, chairman read the petition aloud and submitted it to staff. Copies could be made available later if needed.
- Mrs. Cathy Mullins state the Planning Commission had a responsibility to the public to ensure their safety and that is why such use is not automatically approved by the staff.
- Mr. Ken Bronner stated he felt the site plan nor the suggested sound abatement ideas regarding embankments were enough to effectively dampen the noise. Additionally he felt it was not safe enough with the proximity of the surrounding existing homes. Others concurred.
- Mr. Chad Baker presented a plan for lots, which were behind such site. He plans on developing these estate lots from the 96+- acre site.
- Discussion continued from other members from the audience. Approximately thirteen adults were present in opposition to such request.
- Kathy Stilwell added that such site would be constructed and operated to meet all of the State and the National Rifle Association standards.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present.	
Approval:	
Denial: Motion made by Peterson and 2 nd by Bronner to deny such request. Motion to deny passed unanimously.	Reason for denial: Neighborhood concerns of noise and safety.
Defer:	Reason for deferral:

AGENDA ITEM G-1

FINDINGS OF FACTS

Property Owner: Hickory Ridge Homes, LLC (formerly Leland A. Davis, et. al)
Applicant/Contractor: Mr. Vic Davis, son of Leland Davis
Letter of Credit: Hickory Ridge Subdivision, Section 3
Parcel ID: Tax Map 104, Part of Parcel 54.50
Zoning: R-2
Location: off of Derby Drive in Sullivan Gardens
Surveyor and/or Engineer: Tim Lingerfelt, PLS
Surrounding Zoning: A-1 and R-2
PC 1101 Growth Plan: Sullivan County Planned Growth Area

- This request is for an extension on the performance guarantee (letter of credit) for Mr. Vic Davis, as the subdivision has been approved and recorded subjected to the topcoat paving and right-of-way stabilization.
- Staff recommends in favor of this request to extend the letter of credit, as submitted by the First Tennessee Bank, subjected to the suggestion that the bank send a letter to the county 60 days prior to deadline as a form of status report.

Discussion at the PC meeting

- Vic Davis was present to represent his request. Discussion followed.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present.	
Approval: Motion made by Peterson to extend the Letter of Credit to December 1 st 2004 subject to the 60-day notice by item 2 nd by Bronner. Motion passed unanimously.	
Denial:	Reason for denial:
Defer:	Reason for deferral:

- This property is also served by a shared driveway (easement agreement) leading from the Beacon Village Condominiums back to the rear of this site.
- There is a natural drainage area within this development plan splitting Phase 5 from the rest.
- Such drainage area shall be protected during construction with the appropriate erosion and sediment controls in place prior to grading.
- This plan shall require a TDEC erosion and sediment control permit (General Construction Notice of Coverage) issued by the Johnson City Environmental Assistance Center.
- Staff recommends approval of this master plan subject to the construction plan approval by TDEC and copied to the Planning & Zoning department prior to building permit application.

Discussion at the PC meeting

- Jim Bundy, architect, was present to represent the master plan.

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present	
Approval: Motion made by Pierce and 2nd by Dutton to approve the plan subject to staff comments for construction plan submitted. Motion to approve passed unanimously.	
Denial:	Reason for denial:
Defer:	Reason for deferral:

AGENDA ITEM F2

FINDINGS OF FACTS

Property Owner: Michael and Kathy Stilwell
Site Plan: Stillwell Firing Range
Parcel ID: Tax Map 112, Parcel 5.05
Zoning: A-1
Location: Timber Ridge Road, Bluff City area
Surveyor: Steven Pierce
Civil District: 16th
Surrounding Zoning: A-1
PC 1101 Growth Plan: Sullivan County Rural Area

- This request is to approve a rural outdoor firing range on an 8.897-acre tract of land.
- This area is rural with mostly single-family and singlewide mobile homes surrounding the site.
- The contour elevation plan illustrates a sinkhole on the site and a small area that would meet the 250-setback zone from all property lines.
- This plan, if approved, would require a buffer strip to be planted on all property lines for the site and sound protection of the adjacent neighbors.
- The existing zoning code (Section 601.1.14) allows for a firing range within an A-1 zone subject to a use-on-review by the Planning Commission; however effective January 1, 2004, such use would be considered a high-impact facility not permitted in an agricultural/residential zone.
- Staff recommends against such application as it may cause an undue nuisance upon the surrounding homes and the lay of the land would not effectively dampen the noise of such use. The plan does not illustrate the following concerns as required by the code and need to be addressed at the Planning Commission meeting:
 1. noise abatement plan if topography warrants otherwise;
 2. proposed sewer and water plan if required;
 3. fire hydrants if applicable;
 4. Grading and drainage plans.

Discussion at the PC meeting

- Mr. Michael and Mrs. Kathy Stilwell were present to represent their request. They stated that their proposed intentions would be for a two-bay firing range pointing towards their home, not the neighbors. Such range would allow for a 25-

AGENDA ITEM E3

CONFIRMATION OF MINOR SUBDIVISION PLATS FOR THE MONTH OF November 2003

19

Pursuant T.C.A. 13-3-402 – Regional Planning Commission Platting Authority – Standardizing Lots:

“..provided, that if the plat of subdivision divides the tract into no more than two (2) lots, the approval may be endorsed in writing on the plat by the secretary of the commission without the approval of the regional planning commission, upon certification by the planning staff of the regional planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the regional planning commission pursuant to 13-3-403; provided further, that no request for variance from such subdivision regulations has been requested.

Property Owner /Plat Name	DATE	ZONE	ROAD	T.M. #/parcel	MAX LOT	MIN LOT	REPLAT	SEWER	SEPTIC	Private Well
Webb	11/4/03	R-1	Old Elizabethton Hwy	111/166.00	1.17	.75			Approved	
Whiteman	11/10/03	R-2/R-1	Harrown Road	33E/ 4 & 9	4.50	.66	*		Approved	
McMurray	11/14/03	A-1	Tri State Lime Road	16/58.00	48.31	1.52			Approved	
Begley	11/14/03	R-1	Fondulac Drive/Fordtown Rd	106/99.00	.44	.34			Approved	
Combs	11/18/03	A-1	Walnut Grove Road	125/22.00	10.00	.35	*		Existing	
Harkleroad	11/18/03	A-1	Old Rock Hill Road	136/32.00	1.029	.372			approved	

Sullivan County Regional Planning Commission Action – 6 of the 9 members were present

Confirmation: Motion made by Brommer and 2nd by Peterson to confirm the minor plats, passed unanimously

AGENDA ITEM F1

FINDINGS OF FACTS

Property Owner: Fred Llano
 Site Plan: Llano Townhouses (condos) at Steele’s Creek
 Parcel ID: Tax Map 36F/G, Group B, Parcel 2.00
 Zoning: PRBD/R-2
 Location: Off of Hwy 126 and Clark Cemetery Road (public road)
 Parcel/Lot Area: 4.18 acres
 Surveyor: Larry Culbertson
 Civil Engineer: Matthew Bundy
 Civil District: 5th
 Surrounding Zoning: Mixed
 PC 1101 Growth Plan: Bristol Urban Growth Boundary

- This request is to add 36 condominium units to lot 2.
- This property is zoned R-2 in the rear where the development is proposed and PRBD on the highway; it is a split parcel.
- This master plan shall be done in phases as illustrated on the plans.
- Public sewer and water serve this site.
- This area is within the Bristol Urban Growth Boundary and therefore any subdivision of land would have to be approved by their planning department; however a condominium master plan is not a subdivision of land and therefore the county Planning Commission shall review this request for approval.
- The developer has mentioned subdividing the split parcel subject to Bristol approval; however this would have no bearing on site plan approval as the zoning districts already follow the parcel split.
- The county highway department has verified that the old Cemetery Road is considered a public county road and therefore the split parcel hook could lawfully be subdivided.

18

- All signatures certify code compliance.
- Staff recommends in favor of this 3-lot minor subdivision as all Subdivision Regulations and Zoning Code requirements are satisfied per plan.

Discussion at the PC meeting

- Mr. Blackstone was present to represent his request.

Sullivan County Regional Planning Commission Action – 6 of the 9 members present	
Approval: Motion made by Bronner, 2nd by Peterson, motion to approve passed unanimously.	
Denial:	Reason for denial:
Defer:	Reason for denial:

AGENDA ITEM E2

FINDINGS OF FACTS

Property Owner: Mr. Kelly Wolfe, developer (Terry Orth, contractor)
 Preliminary/Construction: Magnolia Grove, Section 2
 Parcel ID: Tax Map
 Zoning: R-1
 Civil District: 9th
 Location: Webb Road, Piney Flats
 Engineer: Ryan McReynolds, PE with Lamar Dunn & Assoc.
 Surveyor: Joe McCoy, RLS
 PC 1101 Growth Plan: Bluff City Urban Growth Boundary
 Water District: Johnson City Utility Board
 Sewer District: Johnson City Utility Board – served by septic

- This plat consists of 16 more lots served by a split cul-de-sac design.
- Attached are the construction drawings for the roadway and drainage improvement plans..
- TDEC permit shall be updated.
- The Subdivision Regulations call for a 28-foot wide pavement on all new residential roads with a 50-foot right-of-way. Plans need to be amended as discussed, prior to roadway acceptance and final plat approval.
- Staff recommends in favor of this plan, subject to the amendment required for the pavement width and updated TDEC Notice of Coverage for the Stormwater, Erosion and Sediment Controls plan for construction.

Discussion at the PC meeting

- Mr. Kelly Wolfe was present to represent his development plan.
- Mr. Jim Montgomery with the Highway Dept. recommended the construction drawings be revised, per staff comments. He also recommended that the intersection have a 20-foot curb setback from Webb Road.
- Discussion followed. It was agreed that the detention pond shall be graded for easy maintenance (shallow and seeded) and that the pipe be low, painted brown and have a permanent trash rack on top.
- Mr. Montgomery also stated that upon completion of improvements, a letter from the engineer shall be submitted to the Planning Department addressed to the Planning Commission, verifying that all improvements were installed according to the revised approved plans and per code.

Sullivan County Regional Planning Commission Action – 6 of the 9 members present	
Approval: Motion made by Mullins, 2nd by Dutton, motion to approve the construction plans per the revised staff recommendations, passed unanimously.	
Denial:	Reason for denial:
Defer:	Reason for denial:

AGENDA ITEM D1

File No.: 11/03#2, John Rotty & Assoc, Reclassify PMD-2 to R-3B for Condominiums and Sale of Property.

FINDINGS OF FACTS

Property Owner: John Rotty & Associates
Parcel ID: Tax Map 108, Parcel 1.10 (tract 2)
Zoning Request: PMD-2 to R-3B
Civil District: 18th
Location: Tract 2, Deck Lane off of Hwy 75, Blountville
Purpose: For the proposed sale of land with the concept of multi-family housing/condo.
PC 1101 Growth Plan: Sullivan County Planned Growth Area
Public Water Provider: City of Johnson City Utility Board
Public Sewer Provider: City of Johnson City Utility Board
Roadway Classification: Minor Residential Road, and close proximity to arterial highway
Surrounding Zoning: PMD-2 on highway and A-1 along Deck Lane with R-2 and B-3 in the area
Size of Lot/Tract: approximately 7.824 acres
Topography: Gently rolling pastureland with a 10% incline from road to back fence
Neighborhood Opposition: None stated at this time
Recorded Subd. Plat: yes, J B Baker Property Subdivision, approved and on file
Existing Structures: n/a
Rezoning History: Site was rezoned from A-1 to PMD-2 on 8-27-90 (along with many surrounding other tracts near airport)

Staff Recommendation

- Staff recommends in favor of this rezoning request, as a multi-family housing project would be a good transitional zoning district between the developing highway frontage and the rural residential area to the rear.
- From the above findings of facts, this site would be a suitable area for high-density residential, as the existing and available public infrastructure could support such use at maximum build-out.

Discussion at the PC meeting

- Mr. John Rotty, owner, was present to represent the case. He stated that the tract was for sale and the new buyers were also present at the meeting. Discussion followed.

Sullivan County Regional Planning Commission Action – 6 of the 9 members present	
Approval:	motion made by Brimmer, 2nd by Peterson – motion in favor passed unanimously
Denial:	Reason for denial:
Defer:	Reason for denial:

AGENDA ITEM E1

FINDINGS OF FACTS

Property Owner: Thomas Blackstone and Thelma Blackstone
Preliminary/Final Plat: 3-tract minor subdivision plat of Blackstone Property
Parcel ID: Tax Map 135, Parcel 167
Zoning: R-1
Civil District: 9th
Location: Austin Springs Road and Taylor Road in Piney Flats
Surveyor: Steven Lyons, RLS
PC 1101 Growth Plan: Johnson City Urban Growth Boundary
Water District: Johnson City Utility Board
Sewer District: Johnson City Utility Board – served by septic

- This plat consists of two existing house sites to be separated with a shared drive and one large tract remaining.

MINUTES OF THE SULLIVAN COUNTY REGIONAL PLANNING COMMISSION

*The regular meeting of the Sullivan County Regional Planning Commission was held on:
December 16, 2003 at 7:00PM, within the Historic Courthouse of Blountville, Tennessee.*

A. **Roll Call:** The chairman called the meeting to order at 7:01 PM, as a quorum was present. The Planning Director took roll – There were six of the nine members present.

Members Present:

Harry Boggs, *Chair*
Gordon Peterson, *Secretary*
Ken Bronner
Archie Pierce
Cathy Mullins (*Bris. Rep*)
Jack Dutton, *Vice-Chair*

Members absent:

James "Buddy" King, *Commissioner*
Mike McIntire, (*Kept. Rep.*)
Roy Settle

Staff Representatives:

Ambre Torbett, Sullivan County Planning & Zoning Director
Tim Earles, Sullivan County Building Commissioner
Jim Montgomery, County Highway Dept. Surveyor
Rhonda Slayers, State Local Planner

Guests/Citizens:

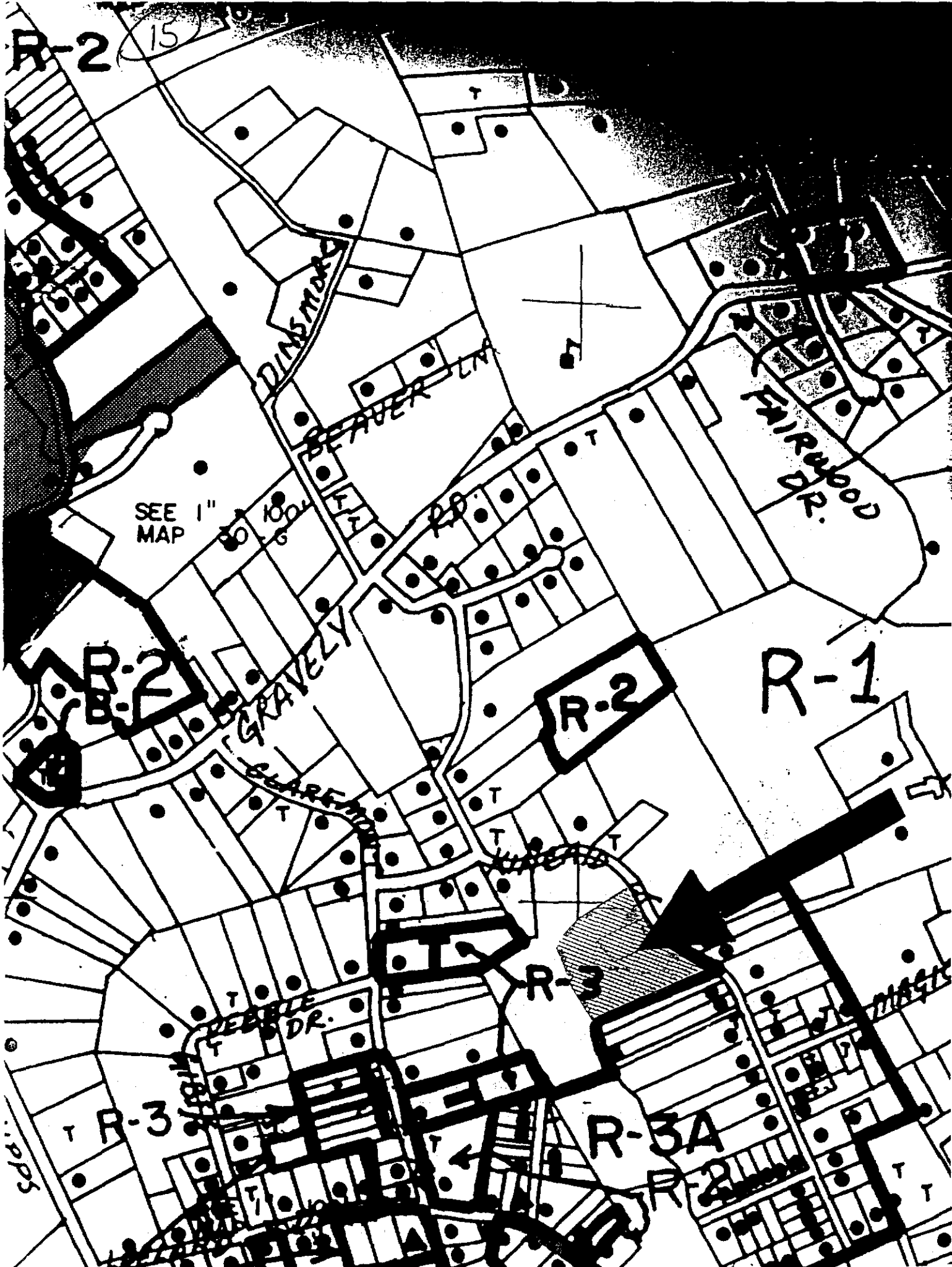
John Rotty and buyers (Carrolls)
Thomas Blackstone
Kelly Wolfe
Jim Bundy
Mr. and Mrs. Stillwell
Steven Fannon and neighbors
Chad Baker and neighbors
Vic Davis
John Mize
Commissioner Randy Morrell

B. **Approval of the Minutes:** *November 18, 2003 Meeting.*

C. **Unscheduled Public Comments:** *none present.*

D. **Rezoning Requests:**

- *The Planning Commission makes recommendations to the County Commission on rezoning requests. If a rezoning recommendation is positive tonight, it will come before the County Commission next month. If a rezoning request is not recommended for approval tonight, the applicant still has the right to appear before the County Commission. You must advise the Planning Commission tonight if you wish to pursue your rezoning request on to the County Commission. The County Commission can override the Planning Commission's recommendation.*
- *In the interest of concluding business in a timely manner, comments on rezoning requests will be limited to three minutes per speaker. Groups opposed to a rezoning should pick two representatives to speak for them. Prior to voting on any rezoning the County Commission will hold a public hearing on: ~~January 20, 2004 at 9:00 AM.~~*



R-2 (15)

SEE 1" MAP
100'
5'

DINSMORE

FEATHER LN

FAIRWOOD DR.

R-2

R-2

R-1

GRAVELLY

PEBBLE DR.

R-3

R-3

R-3A

500'

RESOLUTIONS ON DOCKET FOR JANUARY 20, 2004

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 01-20-04
#2 ACCEPTING THE REMAINDER OF WOLFE STREET AS A PUBLIC ROAD	WITHDRAWN 01-20-04
#3 APPROPRIATE FUNDS TO CONSTRUCT A SULLIVAN COUNTY EMS STATION TO SERVE THE COMMUNITIES OF HICKORY TREE, WEAVER PIKE AND HOLSTON VALLEY	DEFERRED 01-20-04
#4 ESTABLISH A DENTAL HEALTH CLINIC AT THE SULLIVAN COUNTY HEALTH DEPARTMENT	APPROVED 01-20-04
#5 APPROVE & APPROPRIATE FUNDS FOR A 3% RAISE TO ALL COUNTY EMPLOYEES (FULL & PART-TIME) IN THE GENERAL, HIGHWAY, SOLID WASTE, HEALTH, AND THE EDUCATION DEPT. (SUPPORT STAFF ONLY)	DEFERRED 01-20-04
#6 APPROVE ISSUANCE OF TAX INCREMENT FINANCING FOR EAST STONE COMMONS SHOPPING CENTER	APPROVED 01-20-04
#7 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 21 ST C.D.	APPROVED 01-20-04
#8 SUPPORT SUPERIOR FUNDING FOR SUPERIOR STUDENTS	DEFERRED 01-20-04
#9 AUTHORIZE THE ABANDONMENT OF EXCESS RIGHT-OF-WAY AT INTERSECTION OF RIVERVIEW DRIVE AND HICKORY TREE ROAD (1 ST C.D.)	APPROVED 01-20-04
#10 ACCEPT THE POLICIES AND PROCEDURES FOR THE 2003 HOME PROGRAM	APPROVED 01-20-04
#11 AUTHORIZE DRUG-FREE WORK-PLACE IN COMPLIANCE WITH GRANT GUIDELINES	APPROVED 01-20-04
#12 AMEND THE SULLIVAN COUNTY HEALTH DEPT. BUDGET FOR SCHOOL HEALTH NURSE SERVICES	APPROVED 01-20-04
#13 EXTEND SEWER SERVICE TO BLOOMINGDALE COMMUNITY	APPROVED 01-20-04

QUESTIONS BEFORE THE COMM.

QUESTIONS BEFORE THE COMM.	No. 4		No. 5		No. 6		No. 9		No. 7		No. 10		No. 11	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Garth Blackburn	✓				✓		✓		✓		✓			
Linda K Brittenham	✓				✓		✓		✓		✓			
James "Moe" Brotherton	✓				✓		✓		✓		✓			
Ray Conlin	✓				✓		✓		✓		✓			
John Crawford	✓				✓		✓		✓		✓			
D.W. Ferguson	✓				✓		✓		✓		✓			
Clyde Grosslove Jr.	✓				✓		✓		✓		✓			
Jerry Hall	✓				✓		✓		✓		✓			
Ralph Harr	✓				✓		✓		✓		✓			
Joe Herron	✓				✓		✓		✓		✓			
Dennis Houser	A				A		A		A		A			
Maurin A Hyatt	✓				✓		✓		✓		✓			
Samuel C Jones	✓				✓		✓		✓		✓			
Elliott Kilgore	A				A		A		A		A			
James "Buddy" King	✓				✓		✓		✓		✓			
James A King, Jr.	✓				✓		✓		✓		✓			
R. Wayne McConnell	A				A		✓		✓		✓			
William H "John" McKamey	✓				✓		✓		✓		✓			
Randy Morrell	✓				✓		✓		✓		✓			
Howard Patrick	✓				✓		✓		✓		✓			
Paul Stinebaugh	✓				✓		✓		✓		✓			
Michael Surgenor	✓				✓		P		✓		✓			
Mark Vance	✓				✓		✓		✓		✓			
Eddie Williams	✓				✓		✓		✓		✓			
	21 Aye				21 Aye		21 Aye		21 Aye		22 Aye			
	3 Abs.				3 Abs.		1 Pass		1 Nay		2 Abs			
							2 Abs		2 Abs					

QUESTIONS BEFORE THE COMMN.

No.

No.

No.

No.

No.

No.

No.

12

13

NAMES OF COMMISSIONERS

	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Garth Blackburn	✓		✓											
Linda K. Brittenham	✓		✓											
James "Mac" Brotherton	✓		✓											
Ray Conkin	✓		✓											
John Crawford	✓		✓											
O. W. Ferguson	✓		✓											
Clyde Gusselose Jr.	✓		✓											
Larry Hall	✓		✓											
Ralph Harr	✓		✓											
Joe Herron	✓		✓											
Dennis Houser	A		A											
Maurice Hyatt	✓		✓											
Samuel Jones	✓		✓											
Elliott Kilgore	A		A											
James "Buddy" King	✓		✓											
James L. King, Jr.	✓		✓											
R. Wayne McConnell	✓		✓											
William H. "John" McKamey	✓		✓		✓									
Randy Morrell	✓		✓											
Houk Petrick	✓		✓											
Jack Fitzgaines	✓		✓											
Michael Surgenor	✓		✓											
Mark Vance	✓		✓											
Eddie Williams	✓		✓											
	2/Aye		2/Aye											
	1/Nay		1/Nay											
	2/Ays.		2/Ays.											

go on record - agree w/res but object to Res. before Committee

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2004-01-00

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2004.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,

WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider the attached rezoning petitions and vote upon the proposed amendments, individually or otherwise at the discretion of the Commission, by roll call vote and that the vote be valid and binding and that any necessary amendments to the official zoning map be made so.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of January 2004.

Attested: Jeanie Gammon 1/20/04
Jeanie Gammon, County Clerk

Approved: Richard S. Venable 1/20/04
Richard S. Venable, County Executive

Introduced By: Commissioner: King (Buddy)

Seconded By: Commissioner(s): Ferguson

2004-01-00	County Commission
ACTION	Approved 01-20-04 20 Aye, 4 Absent

Comments: Motion made by Comm. Ferguson and seconded by Comm. Sitgreaves to approve.

Sullivan County, Tennessee
Board of County Commissioners

2011
Item 6

Executive
No. 2003-11-108

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION Accepting the ~~of~~ Remainder of Wolfe Street as a Public Road

WHEREAS, the owners of property abutting the remainder of Wolfe Street are petitioning to accept the remainder of Wolfe Street as a public road;

WHEREAS, the Kingsport Regional Planning Commission voted unanimously to recommend that the Sullivan County Commission consider Wolfe Street a public street for its entire length;

WHEREAS, the Sullivan County Board of Commissioners set a precedence by previously approving a resolution on the 18th of March 2000 authorizing the acceptance of a road extension (Rogers Lane) which was already a public road and a public right of way;

WHEREAS, the property owner (Mr. John Browning) has agreed to bring this 80 ft. extension of Wolfe Street to the same existing standards as that portion of Wolfe Street that is already a public road and a public right of way;

WHEREAS, the property owner (Mr. John Browning) has agreed to accept all legal responsibility of providing a deed of the said property and right of ways to Sullivan County;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby accept the remainder of Wolfe Street as a Public Road subject to said remaining section being brought to the same existing standards as the portion of Wolfe Street already a public road by the affected property owners and further subject to the affected property owners delivering a Quitclaim deed to Sullivan County conveying such right of way necessary to meet the standard right of way standards, said Quitclaim Deed to be done at no expense to Sullivan County.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, Mayor Date

Introduced By Commissioner: John Crawford
Seconded By Commissioner(s): Mark Vance, Joe Herron

2003-11-108	Administrative	Budget	Executive	County Commission
ACTION	Approve 11-3-03		No Action 11-5-03	

Comments: 1st Reading 11-17-03; Deferred 12-15-03; Withdrawn 01-20-04.

Sullivan County, Tennessee
Board of County Commissioners

4
Item ~~14~~
Budget
No. 2003-12-128

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of December 2003.

RESOLUTION To Establish a Dental Health Clinic at the Sullivan County Health Department

WHEREAS, The Sullivan County Regional Health Department was given \$300,000 during the past fiscal year for establishment of a Dental Health Clinic. The funds were deposited to be appropriated for expenditure at such time when construction could begin.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby set up appropriation of funds for expenditures related to construction and establishment of a Dental Health Clinic.

300 – Contracted Services (Construction Cost & Architect Fees)	\$122,000
400 – Supplies (Supplies, Instruments & Small Equipment For Office Space, 3 Operatory Rooms and 1 Dental Hygiene Station)	\$97,000
700 – Dental Equipment	\$81,000
Total Budget Amount	\$300,000

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 20th day of January, 2004-2003.

Attested: Jeanie F. Gammon 1/20/04
Jeanie F. Gammon, County Clerk

Approved: Richard S. Venable 1/20/04
Richard S. Venable, Mayor

Introduced By Commissioner: John Crawford
Seconded By Commissioner(s): Mark Vance

2003-12-128	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04 21 Aye, 3 Absent

Comments: 1st Reading 12-15-03;

Sullivan County, Tennessee
Board of County Commissioners

6
Item ~~10~~
Budget
No. 2003-12-130

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of December 2003.

RESOLUTION To Approve Issuance of Tax Increment Financing for East Stone Commons Shopping Center

WHEREAS, the Kingsport Mall has been declared economically blighted and has been placed in a redevelopment district by the Kingsport Housing and Redevelopment Authority and the City of Kingsport; and

WHEREAS, the owners of the Kingsport Mall are seeking tax increment financing to assist with the redevelopment of said property;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the issuance of securities of in the amount of \$3,700,000 to fund the tax increment financing of the East Stone Commons Shopping Center.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 20th day of January ~~2003~~ 2004

Attested: Jeanie F. Gammon
Jeanie F. Gammon, County Clerk

Approved: Richard S. Venable 1/20/04
Richard S. Venable, Mayor

Introduced By Commissioner: Williams

Secoded By Commissioner(s): Harr

2003-12-130	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04

21 Aye, 3 Absent

Comments: 1st Reading 12-15-03;

PROPOSED AMENDMENT

Item 6 – January 2004

No. 2003-12-130
Amendment # 1

AMEND AS FOLLOWS:

Delete entire body of resolution and replace with the following language:

RESOLUTION OF THE SULLIVAN COUNTY COMMISSION
REDEVELOPMENT OF KINGSFORT MALL

WHEREAS, the Kingsport Housing & Redevelopment Authority pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, the Kingsport Housing & Redevelopment Authority has prepared a document entitled “Redevelopment Plan for Core Urban Study Areas” in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended; and

WHEREAS, as authorized by Resolution No. 2003-12-121 of the Sullivan County Commission passed on December 15, 2003 and upon notification to affected property owners, occupants and tenants, the Kingsport Housing & Redevelopment Authority conducted a public hearing on January 12, 2004 to determine the necessity for the adoption of a Redevelopment Plan for the Kingsport Mall Redevelopment District and to determine the necessity of adoption of an amendment to that plan (a) approving the use of tax increment financing for a project to redevelop Tract 1 of the redevelopment district commonly known as the Kingsport Mall site, (b) enlarging the boundary of the Redevelopment District; and (c) deleting all references to urban renewal and urban renewal plan as defined in Tennessee Code Annotated §§ 13-20-210 and 212; and

WHEREAS, the comments and findings of said public hearing, along with the Project Proposal for the Kingsport Mall site have been presented to the Sullivan County Commission; and

WHEREAS, the KHRA has recommended the adoption of the Redevelopment Plan and the proposed amendments and has also recommended approval of the use of tax increment financing for a Project known as East Stone Commons to be located upon Tract 1 of the Kingsport Mall site.

NOW, THEREFORE, be it resolved by the Sullivan County Commission as follows:

1. That the Redevelopment Plan for the Kingsport Mall Redevelopment District, along with the proposed Amendments, as presented and recommended by the Kingsport Housing & Redevelopment Authority is are hereby approved, and the factual findings contained therein are affirmed and adopted by the Sullivan County Commission.

2. That use of tax increment financing as described in the Redevelopment Plan for the East Stone Commons Project Proposal for Tract 1 of the Kingsport Mall Redevelopment District is hereby approved.

3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.

4. That the KHRA is hereby authorized and empowered to implement the Redevelopment Plan on behalf of Sullivan County.

5. This resolution is restricted solely to the Kingsport Mall Redevelopment District and is not an approval or denial of any other Redevelopment Plan or District.

\\Ntserver2\Pbarkley\JAC\CLIENTS\KHA\KHA - Redevelopment Project\County Resolution - Kingsport Mall.wpd

Amendment approved along with Resolution 01-20-04.

PROPOSED AMENDMENT TO

RES. # 6 - AMENDMENT #2 AMEND AS FOLLOWS:

Amend as Follows:

BE IT FURTHER RESOLVED That no monies from tax increment financing
be used for any other purpose than to develop and redevelop the East
Stone Commons Shopping Center. Any and all funding necessary for any
pending legal action be paid by the developers from other funds.

Introduced by: Williams
Seconded by: Conkin

COMMENTS: Amendment approved along with Resolution 01-20-04.

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive
No. 2004-01-001

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2004.

RESOLUTION To Authorize Traffic Sign Changes in the 21st Civil District

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made in the 21st Civil District (4th Commission District).

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following changes to traffic signs in Sullivan County:

21st Civil District (4th Commission District)

To place a No Parking sign on Ridgeway Street.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of January, 2004 ~~2003~~.

Attested Jeanie F. Gammon 1/20/04 Approved Richard S. Venable 1/20/04
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Brittenham

Seconded By Commissioner(s): Houser, Blackburn, King (Buddy)

at

2004-01-001	Administrative	Budget	Executive	County Commission
ACTION	Motion to Approve Failed 1-5-04	Approve 1-8-04	Approve 1-7-04	Approve 01-20-04 21 Aye, 1 Nay, 2 Absent

Comments:

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

(423) 279-2820
FAX (423) 279-2876

December 17, 2003

COMMISSIONERS: Linda Brittenham
Dennis Houser

Dear Commissioners:

I would like to request that you consider passing the following resolution:

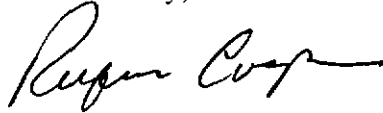
To place NO PARKING signs on Ridgeway St.

Request made by Commissioner Linda Brittenham.

This is in the 21st Civil District and 4th Commissioner District.

If you have any questions, please feel free to contact me.

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: 

ATTACHMENT

Resolution No. 2004-01-001

Page 1 of 1

December 10th, 2003

Re: RIDGEWAY STREET PETITION

To Whom It May Concern:

Due to the multiple parking of various sized vehicles on our road. It causes extreme inconvenience to the residents, bus drivers, mail carriers and visitors to our subdivision. We are worried about hitting one or more of these vehicles due to the limited space on this road. It is extremely difficult at times just trying to get out of our driveways, let alone weaving around these vehicles trying to get out of the subdivision. This is a road hazard!

The residents, mail carrier, etc of Ridgeway Street, Bluff City TN respectfully request NO PARKING signs be place up and down our dead end road, so that we are do not damage our vehicles or someone else's vehicle. We would greatly appreciate your assistance and thank you for your time.

Signatures

Barbara Lindsey
James Holt + Donda Holt
Dorothy R. Deal
Danna Miller
Jack Miller
Kanda Cagle mail carrier
Grace F. Gohli

Wynne A. Haught
John Adams
Shirley Adams
Ted Gayle Campbell
Kyle H. Cado
Kenny Muel - president Holston Bldg. Co. Inc.

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Executive
No. 2004-01-003

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January, 2004.

RESOLUTION To Authorize the Abandonment of Excess Right-of-Way at Intersection of Riverview Drive and Hickory Tree Road (1st Civil District)

WHEREAS, upon the reconstruction of State Route 44 (Hickory Tree Road), the intersection with Riverview Road was modified such that excess right-of-way now exists; and

WHEREAS, upon consideration of the petition of Angelia Booher and upon consideration of the recommendations of the Highway Commissioner, the Sullivan County Planning Commission and the Executive Committee of the Sullivan County Board of Commissioners;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the abandonment of excess right-of-way as shown on the attached map and the transfer of any and all rights of Sullivan County, Tennessee to the same to Angelia Booher. The County Executive is hereby authorized and directed to execute and deliver to Angelia Booher a quitclaim deed, copy attached, conveying Sullivan County's interest to said property.

[WAIVER OF RULES REQUESTED]

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of January 2004.

Attested: Jeanie Gammon 1/20/04
Jeanie Gammon, County Clerk

Approved: Richard S. Venable 1/20/04
Richard S. Venable, Mayor

Introduced By: Commissioner: R. Morrell

Seconded By: Commissioner(s): M. Hyatt

(tr)

2004-01-003	Administrative	Budget	Executive	County Commission
ACTION		Approve 1-8-04	Approve 1-7-04	Approve 01-20-04 21 Aye, 1 Pass 2 Absent

Comments: Waiver of Rules Requested

03-0926/rjm
abooherd.doc
Attachment
Res # 9
1/20/04

QUITCLAIM DEED

COPY

THIS DEED, made and entered into on this the _____ day of _____, 20____, by and between SULLIVAN COUNTY, TENNESSEE, a political subdivision of the State of Tennessee, party of the first part, and ANGELIA D. BOOHER, party of the second part;

W I T N E S S E T H:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged, the party of the first part conveys and quitclaims unto the party of the second part, all its right, title, and interest to that certain lot or parcel of land, together with all improvements thereon and appurtenances thereunto belonging, situate, lying and being in the First (1st) Civil District of Sullivan County, Tennessee, and more particularly described as follows:

BEGINNING at an iron pin in the northernmost right-of-way line of Riverview Road, said iron pin being a common corner for property of Connie K. Mergel (Deed Book 229, Page 868), Angelia Booher (Deed Book 554, Page 701), and the property herein described; thence along the divisional line between the property herein described and property of Booher, the following calls and distances: N. 56 deg. 42' E., 106.87 feet to an iron pin, S. 33 deg. 43' E., 17.58 feet to an iron pin, and N. 56 deg. 42' E., 55.12 feet to an iron pin in the northwestern right-of-way line of Hickory Tree Road; thence along the said right-of-way line of Hickory Tree Road and into and through its intersection with the northernmost right-of-way line of Riverview Road and then along the right-of-way line of Riverview Road, the following calls and distances: a curve to the left having a radius of 1,130.00 feet and a length of 57.83 feet to an iron pin, S. 56 deg. 42' W., 80.00 feet to an iron pin, and N. 70 deg. 43' W., 44.64 feet to the point of BEGINNING, containing 0.09 acres, more or less, as shown on a survey of Rick A. Davies, dated

Prepared By:

Randy M. Kennedy
Attorney at Law
625 Anderson Street
Bristol, TN
423-764-7162
Fax 423-764-8676
BPR No. 006674

COPY

November 19, 2003, to which reference is here made, and being a portion of Riverview Road which has been deemed for public right-of-way and historically maintained by the Sullivan County Highway Department by prescriptive right, no instrument conveying the subject property to Sullivan County being of record in the Register's Office for Sullivan County and said portion of Riverview Road having been closed pursuant to Resolution No. _____, approved by the Sullivan County Board of Commissions on _____, 2004; to all of which reference is hereby expressly made.

This Quitclaim is subject to any and all easements, utility or otherwise, located within the above-described area.

Tax Map No. _____

Parcel No. _____

Property Address: _____

IN TESTIMONY WHEREOF, the party of the first part has hereunto set its signature, by its duly authorized agent.

**SULLIVAN COUNTY, TENNESSEE, a
political subdivision of the State of Tennessee**

By: _____
Richard S. Venable, County Mayor

ATTEST:

County Clerk

Prepared By:
Randy M. Kennedy
Attorney at Law
625 Anderson Street
Bristol, TN
423-764-7162
Fax 423-764-8676
BPR No. 006674

STATE OF TENNESSEE)

:ss

COUNTY OF SULLIVAN)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Richard S. Venable, with whom I am personally acquainted (or proved to

me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the County Mayor of Sullivan County, Tennessee, the within named bargainer, a political subdivision of the State of Tennessee, and that he as such County Mayor, being authorized so to do, executed the foregoing Deed for the purpose therein contained, by signing the name of the political subdivision of the State of Tennessee by himself as County Mayor, on behalf of the political subdivision of the State of Tennessee.

WITNESS my hand and seal, at office, this the ____ day of _____,
20____.

Notary Public

My Commission Expires:

NAME AND ADDRESS OF THE PERSON OR ENTITY RESPONSIBLE FOR THE PAYMENT OF THE REAL PROPERTY TAXES:

Name: Angelia D. Booher

Address: _____

The undersigned does hereby swear or affirm that the actual consideration for this transfer or the value of the property transferred, whichever is greater is \$ Quitclaim, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Prepared By:

Randy M. Kennedy
Attorney at Law
525 Anderson Street
Bristol, TN
423-764-7162
Fax 423-764-8676
BPR No. 006674

Sworn to and subscribed before me this the ____ day of _____,
20____.

Notary Public

My Commission Expires:

THE PREPARER OF THIS DEED MAKES NO CLAIM AS TO THE STATUS OF THE TITLE TO THE PROPERTY DESCRIBED HEREIN. THIS DEED HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED TO THE PREPARER WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION PROVIDED. THIS DEED SHOULD BE RECORDED IMMEDIATELY TO PROTECT YOUR RIGHTS.

Prepared By:

Randy M. Kennedy
Attorney at Law
625 Anderson Street
Bristol, TN
423-764-7162
FAX 423-764-8676
BPR No. 006674

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Administrative
No. 2004-01-004

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of 2004.

RESOLUTION To Accept the Policies and Procedures for the 2003 HOME Program

WHEREAS, Sullivan County has received funding from the HOME program, administered by the Tennessee Housing Development Agency (THDA), to provide housing rehabilitation for low and very low income persons; and

WHEREAS, the County desires to provide housing rehabilitation services to these residents in and equitable and consistent manner; and

WHEREAS, the County Commissioners understands that it must approve program policies and procedures for this grant to ensure equitable and consistent housing rehabilitation services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Commission does hereby authorize the approval of the document, "Program Policies and Procedures for the Sullivan County 2003 HOME Program" (H0-1).

BE IT FURTHER RESOLVED, that the County Commission does hereby authorize the First Tennessee Development District to provide administrative services in the manner accorded in these policies.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 20th day of January, 2004 ~~2003~~.

Attested: Jeanie F. Gammon 1/20/04, County Clerk
Richard S. Venable 1/20/04, Mayor

Introduced By Commissioner: Crawford
Seconded By Commissioner(s): Kilgore / Patrice / Brotherton
at Separate Attachment Provided

2004-01-004	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04

ZZ Aye, Z Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Executive
No. 2004-01-005

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2004.

RESOLUTION To Authorize Drug-Free Workplace Policy in Compliance With Grant Guidelines

WHEREAS, Sullivan County has received a HOME program grant funded by the United States Department of Housing and Urban Development (HUD), and state-administered by the Tennessee Housing Development Agency (THDA), to provide housing rehabilitation for low and very low income persons; and

WHEREAS, the Sullivan County Commission understands that it must adhere to HUD-mandated program policies and procedures for this grant as interpreted by the Tennessee Housing Development Agency; and

WHEREAS, the Sullivan County Commission understands that Sullivan County must establish a Drug-Free Workplace Policy to ensure compliance with HUD-mandated grantee requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Commission does hereby approve the attached statement of "Drug-Free Workplace Policy", to become effective February 1, 2004.

BE IT FURTHER RESOLVED, that the Sullivan County Commission does hereby authorize the County Mayor to amend the Personnel Policies to include the addition of the Drug-Free Workplace Policy.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of January, 2004, ~~2003~~

Attested: Jeanie F. Gammon 1/20/04 Approved: Richard S. Venable 1/20/04
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Crawford

Seconded By Commissioner(s): Kilgore

as ATTACHMENT (1)

2004-01-005	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04

voice vote

Comments:

DRUG-FREE WORKPLACE POLICY

Sullivan County will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the action that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace;
 - 2. Sullivan County's policy of maintaining a drug-free workplace;
 - 3. Any drug counseling, rehabilitation and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug abuse violations in the workplace.
- (c) Making it a requirement that each employee to be engaged in the performance of the working agreement be given a copy of Sullivan County's statement;
- (d) Notifying the employee in the statement that, as a condition of employment under the working agreement, the employee will:
 - 1. Abide by the terms of the statement; and
 - 2. Notify the employees in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the State in writing, within ten calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- (f) Taking one of the following actions, within thirty calendar days of receiving notice, with respect to any employee who is so convicted:
 - 1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirement of the Rehabilitation Act of 1973, as amended; or
 - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or the appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through the implementation of above items (a) through (f).

Sullivan County, Tennessee
Board of County Commissioners

12
Budget
2004-01-006

To the Honorable Richard S. Venable, Sullivan County Mayor and Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2004.

RESOLUTION To Amend the Sullivan County Health Department Budget for School Health Nurse Services

WHEREAS, the Sullivan County Health Department contracts with the Sullivan County School department to provide school health nurse services (part-time registered nurse) to students as mandated by the State of Tennessee; and,

WHEREAS, an additional nurse is required to provided the necessary service to the students of the Sullivan County School System; and,

WHEREAS, these school health nurse services are reimbursed with approval from the Sullivan County Board of Education to the health department fund.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve amending the budget as follows:

55110 P122	100	Personal Services	\$36,572
55110 P122	200	Benefits	\$1,818

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 20th day of January 2004.

Attested: *Jeanie A. Hammon* 1/20/04
County Clerk Date

Approved: *Richard S. Venable* 1/20/04
County Mayor Date

Introduced By Commissioner: Vance
Seconded By Commissioner(s): Surgenor
alt

2004-01-006	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04

Comments:

21 AYE, 1 NAY, 2 ABSENT

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Administrative
No. 2004-01-007

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2004.

RESOLUTION To Extend Sewer Service to Bloomingdale Community

WHEREAS, the County Commission recognizes the need to extend sewer service to unserved areas in the Bloomingdale community within the County; and

WHEREAS, a majority of the county citizens residing within the proposed line extension area do not have the financial resources to purchase sewer connections and tap fees without the assistance of grant funds; and

WHEREAS, the County Commission understands that the Tennessee Small Cities' Community Development Block Grant (CDBG) program provides assistance to counties for this purpose; and

WHEREAS, Tennessee Code annotated Section 8-4-401 authorizes cities and counties to use the CDBG program.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Commission does hereby authorize the County Executive to make and sign an application for up to an amount of \$300,000 of CDBG funds to assist the City of Kingsport Utility System in the installation of the proposed Bloomingdale sewer line extension at an estimated total cost of \$947,850.

BE IT FURTHER RESOLVED that the County commits the required matching funds for this project of \$647,850 for installation of the trunk line as per County/City Agreement.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of January, 2004 ~~2003~~.

Attested: Jeanie F. Gammon 1/20/04 County Clerk Approved: Richard S. Venable 1/20/04 Mayor

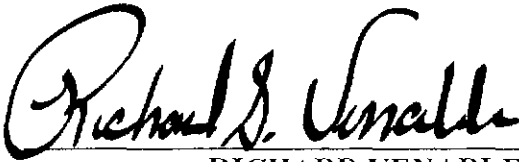
Introduced By Commissioner: Crawford
Seconded By Commissioner(s): Kilgore / Patrice / Surgenor

2004-01-007	Administrative	Budget	Executive	County Commission
ACTION				Approve 01-20-04

21 Aye, 1 Nay, 2 Absent

Comments:

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION FEBRUARY 16, 2004.

A handwritten signature in black ink, reading "Richard J. Venable". The signature is written in a cursive style with a large initial "R".

RICHARD VENABLE

COMMISSION CHAIRMAN

